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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 MEREDITH MCGLOWN,

10 Plaintiff,

11 v.

12 MELLBURG FINANCIAL GROUP INC., et
13 al.,

14 Defendants.
15

Case No. 2:19-CV-29-RSL

ORDER ON REFERRAL
NOTICE

16 This matter comes before the Court on the referral notice from the United States Court of
17 Appeals for the Ninth Circuit. Dkt. #21. The Ninth Circuit referred this matter for the limited
18 purpose of determining whether in forma pauperis status should continue for this appeal or
19 whether the appeal is frivolous or taken in bad faith. Id. at 1.

20 “An appeal may not be taken in forma pauperis if the trial court certifies in writing that it
21 is not taken in good faith.” 28 U.S.C.A. § 1915(a)(3). “A certificate that an appeal is not taken in
22 good faith may be entered if there is some evident improper motive or if no issue is presented
23 which is not plainly frivolous.” Tweedy v. United States, 276 F.2d 649, 651 (9th Cir. 1960)
24 (citing Ellis v. United States, 356 U.S. 674, 675 (1958)).

25 The Court dismissed plaintiff’s cause with prejudice because she failed to articulate an
26 actionable legal claim. Dkt. #15. Plaintiff appeals that dismissal. See Dkts. #17–18. However,
27 her notice of appeal does not address the deficiencies in the complaint. Id.
28

1 For all the foregoing reasons, the Court CERTIFIES that plaintiff's appeal is not taken in
2 good faith and REVOKES her *in forma pauperis* status. The Court DIRECTS the Clerk to send
3 this order to the Court of Appeals for the Ninth Circuit.

4 DATED this 5th day of April, 2019.
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8 Robert S. Lasnik
9 United States District Judge
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